Insert #4

Date

MAR 20 1986

Ex. #1

Your Honour,

If objectivity is a feasible goal to attain in my particular case, may I have the ability to achieve that objective today. I deliver this extensive harangue as my last hope at attempting to shed some enlightenment on my present plight. This seemingly unsurmountable task that I have undertaken may be stultified by the severity of the offences that I stand accountable for. Irregardless of this fact, I feel that there are a myriad of mitigating circumstances inherent in my particular case. If my harangue is suffuse with subservient, servile and obsequious statements, they stem from my sincere feelings of remorse and sorrow. Keeping this in mind, I shall make a concious effort to eschew hyperbole, sentimentalism and also avoid any innate inclination towards embellishing or adorning myself. My sole objective is to present an objective and veracious account of the events which have inexorably led to my incarceration. I would furthermore wish to inform your honour that I shall not make any attempt to belittle the severity of the offences. I just want the court to know that I fully realize the seriousness of my predicament and that honesty is my only means of defence.

Before proceeding, I wish to further inform the court that brevity was not my objective. If I had been terse I might have possibly compromised clarity. Therefore, I now request the court's patience in allowing me to lend some understanding to my quandary.

I find it appropriate to begin this monologue by stating the known facts of the case. The crown alleges that I entered the Blue Haven Motel with a firearm and demanded money from the desk clerk. Upon receipt of this money I made my way out the door and began to run. I was apprehended approximately an hour or so later without incident. The

police retrieved a fully loaded pistol on me and they also recovered fifty dollars, and approximately 49 rounds in my pockets. If these are the allegations then I readily admit that they are true. — I realize how the court must perceive a potentially hazardous situation from these known facts. I shall repeat that I shall not attempt to make a mockery of this court by belittling the seriousness of this offence. Armed robbery does carry a life sentence and this sentence does reflect the severity of the offence.

Having acknowledged that I appreciate the severity of this offence, I wish to proceed by illuminating several pertinent mitigating and veracious factors in my particular case. I sincerely believe that the court must ruminate upon the issue of intention or a paucity of it on my behalf. i.e. did I leave my girlfriend's domicile to actually commit this offence? If the court can exercise some patience in respect to this issue I shall shortly show the relevancy of it. — Another very important facet to this issue is: Did I actually intend to inflict harm? I shall answer these two questions in the following paragraphs.

I wish to take us back to the time and place where I actually obtained this firearm. In doing so, I shall undoubtedly cast a shadow of doubt on my credebility, because this account differs a little from what I told the police. I told the police I purchased it but I actually received it as a result of money owed to me from many many years ago. I make this change of testimony knowing that my credebility will be jeopardized but I do it anyway. Why you may ask? I could have remained with my original testimony with no-one ever being suspicious.

The irony in this is that while I am striving for complete honesty, I am jeopardizing my credebility. as I stated before, if I had remained with my original testimony I would not have endangered my credebility. However, if I am going to give a true account of this, I may as well be candid throughout. I had absolutely nothing to gain by this change, but everything to lose. But I chose to tell the truth and perhaps lose.

Upon receipt of this firearm I immediately set out to sell it. I was in need of money for transportation back to British Columbia. I obtained this firearm in Sudbury while visiting my family and retrieving my personal effects. Unable to sell it in Sudbury I persisted in my aim here in British Columbia. All to no avail.

While attempting to sell this firearm my financial situation was deteriorating with unprecedented celerity. This deterioration of funds was surpassed only by the rapidity to which my moral was declining. My moral reached its nadir in no time. However, contrary to what the crown must be infering, I did not seek to remedy my pecuniary vicissitudes with armed revolt. Quite to the contrary your Honour. My initial thoughts resolved around suicide. These thoughts plagued my thoughts relentlessly. Suicide seemed to be a convenient method to put an end to my life of penury, indigence and outright pauperv. Inflicting harm on others and subsequently suffering the consequences were not my intentions.

Therefore, when my girlfriend exhorted me to take my firearm out of her dwelling, I immediately set out to do so. I placed the revolver in my jacket and placed the shells in my pocket to take them home. I also placed the magazine in a separate back pocket.

While walking along the Kingsway with no money and no immediate sight of employment my moral caused me to reach a very depressive state. The day prior I had walked from V.G.H. to her house because of a scarcity of funds. This walk is what I was about to take once again. While walking the thought of killing myself reoccured. The thought was always with me, but at these times it came with much more power. I just lacked whatever it is that makes people prone to suicide to actually really do it I guess. I just couldn't do it. I was very tormented. Perhaps Durkheim can answer why I couldn't go through with it. I am not qualified to answer that. All I know is that I really believed I was going to do it for awhile.

It is here where I decided to go into the Blue Haven and rob it. I realized that if I got caught for something serious, I could then kill two birds with one stone. I could firstly put an end to my hunger and then my life. The court will probably have a difficult time understanding the following but I shall try to recount my thoughts during that dreadful day.

Here were my thoughts Your Honour as I recall them. And I do remember them clearly.

Before I entered the Motel I figured that after I had done my robbery and the person would remember me clearly, that I would have no choice but to commit suicide. I would either have to kill myself after the robbery or face imprisonment. And I always figured that I would die before I ever returned to prison. Therefore, the robbery was merely to give me some impetus to carry out my final act.

After the robbery I ran into a nearby wooded area where I placed a bullet in the chamber and I injected the clip in the event that the first shot missed its target. I contemplated suicide very strongly for approximately 15 minutes or it could have been more. It is then that I realized that I lacked the will to actually see it through. I know now that I can't do it. I must therefore die slowly in the Belly of the Beast. My lack of courage, will and brains surely makes me the loser of the century. What a life.

So tell me, did I have the intention to rob and/or hurt? If so, why wasn't the gun loaded when I entered the motel? The court knows why I robbed that place. I'll never do such an asinine thing like this again. I swear to God on that. I know my limitations, and I have a new understanding. I have received some small hope to counter the consequences of my act.

My girlfriend informs me that I could reside with her now. I didn't do this at first because my stupid pride wouldn't allow me to live off of her. Her brother has finally got me a job. His offer is somewhat belated but nevertheless appreciated. My plans for school were always there. I just needed some stability at that moment. I was depressed, desperate and stupid and proud. I didn't give myself a fair chance. I didn't give myself enough time to readjust. In time everything would have been fine but my stupid impulsivity and lack of patience killed me.

There are so many factors to consider but I am tiring of this letter. I am at the mercy of the court. I realize that it is incumbent upon your honour to impose a sentence to act as a deterent. But must this deterent be solely at my expense? If I was not a drug addict looking for money for a fix. I did not commit this to satisfy any cupidity. I did not seek to enrich myself materially. It is in earnest supplication that I importune Your Honour for understanding. I was absolutely frank. Does this count for anything? Does it not show a vestige of rehabilitation on my institutionalized state of mind? I want to attend school and I do want to work. It is a lack of employment that is responsible for my despondency. I just got desperate and depressed your honour. But I always had enough presence of mind to know that I never wanted to inflict injury on anyone. If injury was to come, it was to come to me. And I do sincerely apologize for having scared that lady at the motel. I'm also sorry for stealing the money because I know someone, somewhere has to pay that deficit.

Before I conclude, I wish to show the court that I have undertaken some positive steps towards self-rehabilitation in the latter part of my tumultuous life. I do not present these facts as a means to fawn but rather to show my sincerity in my efforts to live a normal life. One of my proudest achievements is a sum total of 37 credits at S. F. U. Other less tangible aspects of my reformation is my efforts at obtaining a job, at avoiding physical violence, and the beginning of my ability to use my head more than my hands. This statement is no doubt belied by my actions in this case but I did falter terribly. I do not indulge in any kind of drugs other than a drink on occasion. My girlfriend could bear witness to that fact as I relentlessly reprimand her for her penchant towards an occasional marijuana cig.

I do frequent a gym to pass the hours of the day. I do this hobby as I am aware of an old saying that goes something like this "Idle hands devil-Busy-happy hands." The bottom line with me Your Honour is that I fell into a serious depressive state and I consequently fell. I now realize that my pride must be relegated, as my freedom is a priority. I realize that my cognizance is somewhat belated but it does exist now. I am engaged and I had planned to marry this lady when my financial situation ameliorated. She has three lovely children and I feel as though I disappointed everybody. I feel ashamed, stupid and unfeeling. They were willing to assist me but I did not want to live off of their earnings. I know I failed terribly. And now I am at the mercy of the court. I make no secret of the fact that I am hoping for some understanding and hopefully some leniency Your Honour.

In conclusion I can only say that I was extremely depressed, desperate, and stupid. As a result I am now very sorry and very worried.

Thank-You for your time and patience Your Honour.

PROVINCIAL COURT
CASE NUMBER
29913
MARKED
ENTERED
EXHIBIT No.
SUBMITTED BY:
☐ PROSECUTION/PLAINTIFF
☑ DEFENDANT/RESPONDENT
CLERK
DATE MAR 20 1986